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PTO/SB/21 (08-003

Approved for use through 07/31/2006. OM9 0651-0031

Patent and Trademark Office; U. S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1895, no persons are required to respond to a collection of information unless it contains a valid CMB control number

			Application Number		10/615,460			
TRANSMITTAL				Filing Date		7/02/2003		
FORM (to be used for all correspondence after initial filing)			First Named Inventor		LINDSAY, GEOFFREY, et al			
			Art Unit					
				Examiner Name	1			
Total Number of Pages in This Submission 18				Attorney Docket Number		84887		
			ENCLOSURES ((check all that apply)				
☐ Fee Transmittal	Form	<u> </u>	☐ Drawing(s)			☐ After Allowance Communication		
Fee Attached	i		☐ Licensing - related Papers			to Group		
Amendment / Reply			Petition			Appeal Communication to Board of Appeals and Interference's		
☐ After Final						☐ Appeal Communication to Group		
☐ Affidavits / de	claratio	n(s)	Petition to Convert to a Provisional Application			(Appeal Notice, Brief, Reply Brief)		
☐ Extension of Time	e Reque	est				☐ Proprietary Information		
☐ Express Abandonment Request			☐ Power of Attorney, Revocation Change of Correspondence Address			Status Letter		
☐ Information Discl	osure S	tatement				Other Enclosure(s) (Please identify below)		
☐ Certified Copy of Priority		☐ Terminal Disclaimer		.				
Document(s)	rionty		☐ Request for Refund			Petition to Withdrawn the Holding of Abandonment (w/ attachments)		
☐ Response to Missing Parts/			CD, Number of	of CD(s)		Postcard Certified Return Receipt		
Incomplete App	lication	13/	Remarks					
Response to Missing Parts under 37 CFR 1.52 or 1.53			3. Transmittal form 5. Recordation Form Coversheet 7. Power of Attorney/Declaration 9. Copy of Certificate of Mailing 11. Certificate of Transmission 4. Fee Transmittal 6. Copy of Assignment 8. Notice to File Missing Parts of 10/10/03 10. Notice of Abandonment of 11/26/04					
		SIGNA	ATURE OF APPLIC	ANT, ATTORNEY, OR	AGENT			
Firm or Individual Name	Charl	ene A. Haley	52,9	83				
Signature	Signature / / / OA /							
Date	13 Jan 2005							
		(CERTIFICATE OF 1	TRANSMISSION/MAILIN	NG			
I hereby certify that this sufficient postage as fil date shown below.	corresp st class	ondence is being fa mail in an envelope	acsimile transmitted to addressed to Commi	the USPTO or deposited issioner for Patents, P.O. E	with the Box 1450	United States Postal Services with 0, Alexandria, VA 22313-1450 on the		
Typed or Printed Name Val Hall, Legal Assistant								
Signature CO To			- 00		Date	13 Jan 2005		

This collection of information is required by 37 CFR 1.53(b). The information is required or obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U>S>C> 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form antifor suggestions for reducing this burden, should be sent to the Chird Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. BO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Mail stop Patent Application, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

please type a plus sign (+) inside this box +

PTC/SE/21 (08-00)
Approved for use through 10/31/2002. OMB 0651-0031
d Trademark Office; U. S. DEPARTMENT OF COMMERCE

		Application Number	10/615,460		
TRANSMITTAL		Filing Date	7/02/2003		
FORM		First Named Inventor	LINDSAY, GEOFFREY, et al		
(to be used for all correspondence after initial	(Sing)	Group Art Unit			
		Examiner Name			
otal Number of Pages In This Submis	sion 13	Attorney Docket Number	84887		
	ENCLOSURES	(check all that apply)			
Fee Transmittel Form (e.g. PTO/S8/17)			☐ After Allowance Communication		
Fee Attached	(for an Application)		to Group		
Armendment / Response	☐ Drawing(s)		☐ Appeal Communication to Board		
After Final	Licensing - re	elated Papers	of Appeals and interference's		
Affidavits / dedaration(s)	Petition		☐ Appeal Communication to Group		
Extension of Time Request	Petition to Convert to a Provisional Application		(Anneal Notice, Brief, Reply Brief) Proprietary Information		
Express Abandonment Request					
reformation Disclosure Statement	□ Power of Attorney, Revocation □ Change of Correspondence □ Address		☐ Status Letter		
Certified Copy of Priority			Additional Enclosure(s) (Please Identity ballow)		
Occument(s)	☐ Terminal Disci	laimer	,,,		
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Response to Missing Parts/ Incomplete Application			Notice to File Missing Parts of Nonprovisional Application		
,	CD, Number	or CD(s)	Post Card		
Sesponse to Missing Parts under 37 CFR 1.52 or 1.53	Remarks				
under 37 CFR 1.52 OF 1.53					
SIGNA	TURE OF APPLICA	ANT, ATTORNEY, OR AGE	NT		
Firm					
lividual Name Charlene		52,983			
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Date					
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eby certify that this correspondence is being dep n an envelope addressed to: Commissioner for	nosited with the Unite	cate of Mailing			
n an envelope addressed to: Commissioner for	Patents, Washingto	n, D.C. 20231 on this date:	fficient postage as first class 30 Oct 2003		
yped or Printed Name Val Hall, Legal	Assistant				

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U.S. 1 Under the i and Reduction Act of 1995, no persons are required to respon

PTO/S9/17 (01-03)
Approved for use through 04/30/2003, OMB 0651-0032
and Trademark Office; U. S. DEPARTMENT OF COMMERCE

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EEE TO ANOMITY A		Complete if known						
FEE TRANSMITTAL	Application Number				10/615,460			
FOR FY 2003 Effective 01/01/2003. Patent loes are subject to annual revision.	Filing Date				7/02/2003			
	First	First Named Inventor			LINDSAY, GEOFFREY, et al			
Applicant ships and hardle and	Exa	Examiner Name						
Applicant claims small entity status. See 37 CFR 1.27	Art Unit							
TOTAL AMOUNT OF PAYMENT \$940.00	Attorney Docket No.			do.	0.000			
	Adomey Docket No. 84887							
METHOD OF PAYMENT (check all that apply)	FEE CALCULATION (continued)							
Check Credit card Money Other None	3. ADDITIONAL FEES							
X Deposit Account	Large Entity Small Entity Fee Fee Fee Fee			<u> </u>				
Deposit 50-0931	Code	(\$)	Cod	(\$)	£	es Description	Fee Peid	
Number	1051	130				re - late filing fee or oath	\$130.00	
Deposit NAWCWD - Pt Mugu/ China Lake	1052	50	2052	25	Surcharg cover sh	e - late provisional Sing fee or set		
Name The Commissioner is authorized to: (check all that apply)	1053	130	1.000	139	Non-Engi	lah specification		
Charge fee (s) indicated below	1812	2,520				request for experte reexamination		
Charge any additional fee (s) during the pendency of this application	1804	920	1804	920°	Requestir Exeminer	ng publication of SIR prior to action		
Charge (s) indicated below, except for the filing fee	1805	1,840	1805	1,840*	Requestir Examiner	ng publication of SIR after		
to the above - identified deposit account.	1251	110	2251	65		for reply within first month		
FEE CALCULATION	1252	410	2252	205	Extension	for reply within second month		
1. BASIC FILING FEE Large Entity Small Entity	1253	930	2253	465	Extension	for raply within third month		
Fee Fee Fee Fee	1254	1,450	2254	725	Extension	for rapty within fourth month		
Code (5) Code (5) Ess Description Fee Paid 1001 750 2001 375 Utility filing fee \$770.00	1255	1,970	2255	965		for reply within fifth month		
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1003 520 2003 260 Plant filing fee	1403	320 280	2402	160 140		of in support of an appeal		
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SUBTOTAL (1) \$770.00	1453	1,300	2453	650		revive - unavokrable revive - unintensional		
2. EXTRA CLAIM FEES FOR UTILITY AND REISSUE	1501	1,300	2501	650		fee (or reissue)		
Extra Claims Fee from	1502	470	2502	235	Design issu	•		
Total Claims -20" = X	1503	630	2503	315	Plant issue			
Independent 3 X	1460	130	1460	130		the Commissioner		
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Code (8) Code (9) Fee Description				10	property (tim	es number of properties)	\$40.00	
1202 16 2202 9 Claims in excess of 20	1809	750	2809	375	Filing a subri (37 CFR 1.1	nission after finial rejection 29(e))		
1201 84 2201 42 Independent claims in excess of 3	1810	750	2810	375	For each add	fitional invention to be		
1203 280 2203 140 Multiple dependent claim, if not paid	1801	750	2601	375	examined (3)	7 CFR 1.129 (b))		
1204 84 2204 42 ** Reissue independent claims over original patent	}				Request for (Continued Examination (RCE)		
1205 18 220S 9 Reissue claims in excess of 20 and over original patent	1802	900	1892	900	Request for o	expedited examination		
SUBTOTAL (2)		Other fee (specify)						
or number previously paid, if greater, For Reissues, see above					SUBTOTAL (2)		\$170.00	
or number previously paid, if greater, For Reissues, see above • Reduced by Basic Filing Fee Paid SUBTOTAL (3) \$170,00 SUBMITTED BY						\$170.00		
Name (Print/ Type) Charlene A. Haley		Regist	ration	No.	60.000	(Complete (if applicable))		
			y / Agent)		52,983	Telephone (760) 9:	39-4177	
Signature Chi Ci DA						Date 30 Oc	t 2003	

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO -2038.

This collection of information is required by 37 CFR 1.17 and 1.27. Information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual cass. Any comments on the amount of time you require to complete this form and / or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Tradement Office, U.S. Department of Commerce, Washington, DC 20231, DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: COMMISSIONER FOR PATENTS, WASHINGTON, DC 20231.

If you need assistance in completing the form, cell 1-800-PTO-9199 (1-800-786-9199) and select option 2.

Navy Case: 84887 Serial No: 10/615, Applicant: LINDSE

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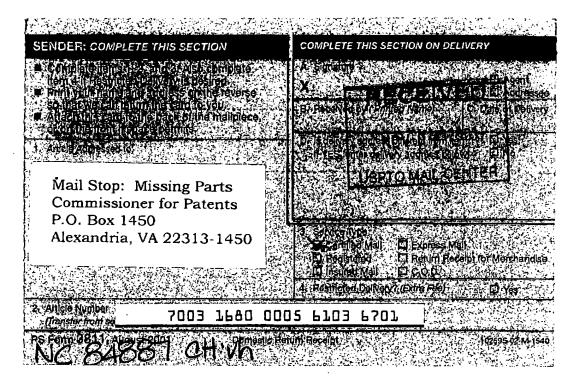
10/615,460 LINDSEY, et al

date mailed: 10/30/03 CH:vh

Receipt of the following application papers is evidenced hereon by official stamp of the U. S. Patent and Trademark Office:

Transmittal Form (orig©) Fee Transmittal Form (orig©)	2pp
Recordation Form (orig©)	2pp 2 pp
Assignment (orig & copy)	2 pp

Declaration & POA (orig©)	2pp
Notice to File Missing parts of	
NonProvisional Application (orig)	2pp
Certificate of Mailing (orig)	lpp
Post Card	• • •



Navy Case No. 84887 Application Serial No. 10/615,460

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants

Lindsay, et al

Docket No.

84887

Serial No.

10/615,460

Filed

07/02/2003

For

ELECTRO-OPTIC POLYMERS WITH TUNABLE

REFRACTIVE INDEX FOR OPTICAL WAVEGUIDES

Assistant Commissioner of Patents and Trademarks Washington, DC 20231

Fascimile: (703) 308-7751

:

PETITION TO WITHDRAW THE HOLDING OF ABANDONMENT UNDER 37 C.F.R. 1.181(a)

Sir,

This petition is in response to a Notice of Abandonment mailed November 26, 2004 and was faxed to OIPE Customer Service (703) 308-7751 on January 13, 2004. The Applicants set forth the basis for the Petition to Withdraw the Holding of Abandonment under 37 C.F.R. 1.181(a). This Petition is submitted with the response to the above-identified office action.

STATEMENT OF FACTS

The Applicants received a Notice to File Missing Parts of Non-provisional Application dated October 01, 2003, which was indicated that the basic filing fee and declarations were missing. Applicants prepared and sent its response to the Notice on October 30, 2003, which included the fee, fee transmittal form, executed declarations and assignment documents, power of attorney, notice of missing parts, post card, recordation

Navy Case No. 84887 Application Serial No. 10/615,460

:7026383378

coversheet, and certificate of mailing. In addition, we sent the response through USPS by certificate of mailing and received your USPTO mailing center stamp on it, but Applicants never received the post card back that was sent to you. So clearly your office is receiving the paperwork. Loosing our information that has been mailed to you has become an increasing problem at the USPTO mailing center over the last 3 years. Is someone doing anything to correct this?

Since a complete reply to the Notice was previously filed by Applicants within the time period set forth in the Notice, Applicants request reconsideration of the holding of abandonment under 37 C.F.R. 1.181(a). No petition fee is required. Applicants also request that the original filing date remain at July 2, 2003.

This petition is accompanied by a true copy of the originally filed documents and the items identified below:

SUBMISSIONS

- (1) A copy of the post card, since Applicants original was not sent back.
- (2) The Petition is accompanied by a copy of the USPS certificate of mailing which was stamped by the USPTO mailing center.
- (3) A copy of the Transmittal Form which includes the executed Certificate of Mailing.
 - (4) A copy of the Fee Transmittal Form.
 - (5) A copy of the Recordation Form Cover Sheet.
 - (6) A copy of the executed Assignment Document.
 - (7) A copy of the executed Power of Attorney/Declaration.
 - (8) A copy of the Notice of Missing Parts dated October 10, 2003.
 - (9) A copy of the Certificate of Mailing listing all of the above documents.

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Navy Case No. 84887 Application Serial No. 10/615,460

(10) A copy of this Petition To Withdraw The Holding Of Abandonment Under 37 C.F.R. 1.181(a).

(11) A copy of the Notice of Abandonment dated November 26, 2004.

STATEMENT IN COMPLIANCE WITH 37 CFR 1.8(b).

Charlene A. Haley, attorney for Applicants, attests on a personal knowledge basis to the previous timely mailing of the reply to the Notice of Missing Parts.

The Commissioner is authorized to charge any fees associated with filing of this Petition to Withdraw Holding of Abandonment under 37 C.F.R. § 1.181(a) to Deposit Account No. 50-0931.

Applicant invites the Examiner to call the undersigned if clarification is needed on any aspect of this response, or if the examiner believes a telephonic interview would expedite the prosecution of the subject application to completion.

Respectfully,

Navy Case No. 84887

NAWCWD

Office of Counsel, Code K00000D

1 Administration Circle, STOP 1009

China Lake, CA 93555-6100

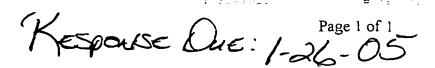
Telephone: (760) 939-4177

Facsimile: (760) 939-0679

Attorney for Applicants

CHARLENE A. HALEY

Registration No. 52,983





United States Patent and Trademark Office

UNITED STATES DEPARTMENT OF COMMERCE United States Patent and Trademark Office Address COMMISSIONER FOR PATENTS PC. Box 1450 Alexandra, Vigna 27313-1450 www.sapagov

APPLICATION NUMBER

FILING OR 371(C) DATE

FIRST NAMED APPLICANT

ATTY. DOCKET NO./TITLE

10/615,460

07/02/2003

Geoffrey Lindsay

84887

CONFIRMATION NO. 7958 ABANDONMENT/TERMINATION

LETTER

OC000000014586276*

23572 NAVAIRWD COUNSEL GROUP (CODE K0000D) 1 ADMINISTRATION CIRCLE CHINA LAKE, CA 93555-6100

Date Mailed: 11/26/2004

NOTICE OF ABANDONMENT UNDER 37 CFR 1.53 (f) OR (g)

The above-identified application is abandoned for failure to timely or properly reply to the Notice to File Missing Parts (Notice) mailed on 10/01/2003.

No reply was received.

A petition to the Commissioner under 37 CFR 1.137 may be filed requesting that the application be revived.

Under 37 CFR 1.137(a), a petition requesting the application be revived on the grounds of UNAVOIDABLE DELAY must be filed promptly after the applicant becomes aware of the abandonment and such petition must be accompanied by: (1) an adequate showing of the cause of unavoidable delay; (2) the required reply to the aboveidentified Notice; (3) the petition fee set forth in 37 CFR 1.17(I); and (4) a terminal disclaimer if required by 37 CFR 1.137(d).

Under 37 CFR 1.137(b), a petition requesting the application be revived on the grounds of UNINTENTIONAL DELAY must be filed promptly after applicant becomes aware of the abandonment and such petition must be accompanied by: (1) a statement that the entire delay was unintentional; (2) the required reply to the aboveidentified Notice; (3) the petition fee set forth in 37 CFR 1.17(m); and (4) a terminal disclaimer if required by 37 CFR 1.137(d).

Any questions concerning petitions to revive should be directed to the "Office of Petitions" at (703) 305-9282. Petitions should be mailed to: Mail Stop Petitions, Commissioner for Patents, P.O. Box 1450, Alexandria VA 22313-1450.

A copy of this notice MUST be returned with the reply.

Initial Patent Examination Division (703) 308-1202

PART 1 - ATTORNEY/APPLICANT COPY



United States Patent and Trademark Office

UNITED STATES DEPARTMENT OF COMMERCE United States Putent and Trademark Office Address COMMISSIONER FOR PATENTS P.O. Dox 1450 Alexandric Virgins 22313-1450 www.cpfw.guv

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APPLICATION NUMBER

FILING OR 371(C) DATE

FIRST NAMED APPLICANT

ATTY. DOCKET NO./TITLE

10/615,460

07/02/2003

Geoffrey Lindsay

84887

CONFIRMATION NO. 7958
ABANDONMENT/TERMINATION
LETTER

OC00000014586276

23572 NAVAIRWD COUNSEL GROUP (CODE K0000D) 1 ADMINISTRATION CIRCLE CHINA LAKE, CA 93555-6100

Date Mailed: 11/26/2004

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Any questions concerning petitions to revive should be directed to the "Office of Petitions" at (703) 305-9282. Petitions should be mailed to: Mail Stop Petitions, Commissioner for Patents, P.O. Box 1450, Alexandria VA 22313-1450.

A copy of this notice <u>MUST</u> be returned with the reply.

Customer Service Center

Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE

Notice of Abandonment

This application is abandoned in view of applicant's failure to timely file a proper reply to the Office notice mailed on 10-01-03

Petition to Withdraw the Holding of Abandonment

If a complete reply to the notice was previously filed by applicant within the time period set forth in the notice, applicant may request for reconsideration of the holding of abandonment within 2 months from the mailing of this notice of abandonment by filing a petition to withdraw the holding of abandonment under 37 CFR 1 181(a). No petition fee is required. The petition must be accompanied by a true copy of the originally filed reply and the item(s) identified in one of the following:

1. A properly itemized date-stamped postcard receipt (see MPEP § 503),

2 If the originally filed reply included a certificate of mailing or transmission in compliance with 37 CFR 1.8(a), a copy of the certificate of mailing or transmission and a statement in compliance with 37 CFR 18(b) (see MPEP § 512); or

3. If the reply was filed via Express Mail, a submission satisfying the requirements of 37 CFR 1 10(e) including, for example, a copy of the Express Mail mailing label showing the 'date-in' (see MPEP §

Any petition to withdraw the holding of abandonment should be transmitted by facsimile directly to OIPE Customer Service at (703) 308-7751.

Petition to Revive an Abandoned Application

If applicant did not previously file a complete reply within the time period set forth in the notice, applicant may file a petition to revive the application under 37 CFR 1.137.

Under 37 CFR 1 137(a), a petition requesting the application be revived on the grounds of UNAVOIDABLE DELAY must be filed promptly after the applicant becomes aware of the abandonment and such petition must be accompanied by:

- 1 an adequate showing of the cause of unavoidable delay;
- 2. the required reply to the above-identified notice;
- 3. the petition fee set forth in 37 CFR 1.17(i); and
- 4 a terminal disclaimer if required by 37 CFR 1.137(d).

See MPEP § 711.03(c) and Form PTO/SB/61.

Under 37 CFR 1 137(b), a petition requesting the application be revived on the grounds of UNINTENTIONAL DELAY must be filed promptly after applicant becomes aware of the abandonment and such petition must be accompanied by.

- l a statement that the entire delay was unintentional,
- 2. the required reply to the above-identified notice;
- 3 the petition fee set forth in 37 CFR 1 17(m), and
- 4 a terminal disclaimer if required by 37 CFR 1 137(d)

See MPEP § 711 03(c) and Form PTO/SB/64

Any questions concerning petitions to revive should be directed to Office of Petitions at (703) 305-9282

Any questions regarding this notice should be directed to OIPE Customer Service at (703) 308-1202

Custemer Service Center

Initial Patent Examination Division (703) 308-1202

Certificate of Transmission under 37 CFR 1.8

I hereby certify that this correspondence is being facsimile transmitted to the United States Patent and Trademark Office.

on ______1/13/2005 _____.

Val Hall, Legal Assistant

Typed or printed name of person signing Certificate

Note: Each paper must have its own certificate of transmission, or this certificate must identify each submitted paper.

Attorney Docket No. 84887

Transmittal Form (1p)

Petition to Withdraw the Holding of Abandonment (w/ attachments) (3pp)

Post Card of 10/30/03 (1p)

Certified Return Receipt of 11/4/03 (1p)

Transmittal Form of 10/30/03 (1p)

Fee Transmittal of 10/30/03 (1p)

Recordation Form of 10/30/03 (1p)

Assignment of 10/30/03 (1p)

Declaration & POA of 10/30/03 (1p)

Notice to File Missing Parts of NonProvisionalApplication of 10/1/03 (2pp)

Notice of Abandonment of 11/26/04 (3pp)

Fax to: (703) 308-7751

This ecliection of information is required by 37 CFR 1.53(b). The information is required or obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 1.8 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandría, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Mail stop Patent Application, Commissioner for Patents, P.O. Box 1450, Alexandría, VA 22313-1450.

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